

(English version)

**Question for written answer E-001171/25
to the Commission
Billy Kelleher (Renew)
(19 March 2025)**

Subject: Implementation of the revised Waste Framework Directive — criteria for extended producer responsibility fees for textiles

The revised Waste Framework Directive (WFD) (2008/98/EC) proposes the introduction of eco-modulated extended producer responsibility (EPR) fees for textile waste. Recital 40 states that ‘industrial and commercial practices (...) influence the length of use of the product and the likelihood of a product to become waste’. It also states that to ‘characterise these practices and allow for eco-modulation of EPR fees’, Member States could consider a range of criteria.

Article 22c(3a) provides that Member States may require the producer responsibility organisations to modulate the financial contribution. Article 22c(4) instructs the Commission to propose implementing acts laying down the fee modulation criteria for the application. There remains uncertainty about how Recital 40 and the implementing acts interact in shaping EPR fees, as well as how they will interrelate with the delegated acts for apparel and footwear under the Ecodesign for Sustainable Products Regulation (ESPR).

Can the Commission therefore explain:

1. the relationship between Recital 40 and Articles 22c(3a) and 22c(4) ?
2. how it intends to align the implementation of EPR fee modulation criteria through its implementing acts under the WFD with the ESPR delegated act for apparel/footwear?
3. whether it will conduct an impact assessment before adopting the implementing acts on fee modulation criteria, and if so, what specific aspects it will evaluate?

Submitted: 19.3.2025

**Answer given by Ms Roswall on behalf of the European Commission
(8 May 2025)**

The provisional agreement on the targeted revision of the Waste Framework Directive (WFD) ⁽¹⁾ reached on 18 February 2025 amends the Commission proposal by modifying Recital 40 and Article 22c(4) and including new Article 22c(3a).

The revised provisions aim to allow Member States to address ultra-fast fashion and fast-fashion practices via the modulation of the Extended Producer Responsibility (EPR) ⁽²⁾ financial contributions.

Recital 40 explains the importance of addressing ultra-fast fashion and fast-fashion practices when modulating the EPR financial contributions and provides examples of potential criteria that Member States may consider for such purpose. Those criteria serve the purpose of exemplifying the producers’ practices referred to in Article 22c(3a).

According to Article 22c(4), to avoid distortion of the internal market and ensure a consistent modulation of EPR financial contributions based on Ecodesign for Sustainable Products Regulation (ESPR) ⁽³⁾ requirements and on the producers’ practices mentioned in Article 22c(3a), the Commission intends to adopt Implementing Acts laying down specific fee modulation criteria.

After the adoption of the ESPR Delegated Acts, the ESPR sustainability criteria will be set and the Commission will be able to develop the EPR fee modulation criteria and adopt the WFD’s Implementing Acts.

The preparatory work for the drafting of the ESPR Delegated Acts is ongoing. It is therefore too early to provide clear indications as to how the Commission is envisaging the alignment of the WFD Implementing Acts with the ESPR Delegated Acts.

⁽¹⁾ Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives, OJ L 312, 22.11.2008, p. 3–30, as amended by Directive (EU) 2018/851 of the European Parliament and of the Council of 30 May, OJ L 150, 14.6.2018, p. 109–140.

⁽²⁾ https://environment.ec.europa.eu/topics/waste-and-recycling/waste-framework-directive_en

⁽³⁾ Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024 establishing a framework for the setting of ecodesign requirements for sustainable products, amending Directive (EU) 2020/1828 and Regulation (EU) 2023/1542 and repealing Directive 2009/125/EC.

The adoption of the Implementing Acts will follow the Committee Procedures as described in Article 39(2) of the WFD and the Better Regulation Guidelines ⁽⁴⁾.

⁽⁴⁾ https://commission.europa.eu/law/law-making-process/better-regulation/better-regulation-guidelines-and-toolbox_en